

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 75

AN ACT to amend the Indiana Code concerning veterans' affairs and motor vehicles and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-13-2-196.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 196.5. "Veteran", for purposes of IC 9-18-50, has the meaning set forth in IC 9-18-50-1.**

SECTION 2. IC 9-18-15-1, AS AMENDED BY P.L.214-2005, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) A person who is the registered owner or lessee of a:

- (1) passenger motor vehicle;
- (2) motorcycle;
- (3) recreational vehicle; or
- (4) vehicle registered as a truck with a declared gross weight of not more than:
 - (A) eleven thousand (11,000) pounds;
 - (B) nine thousand (9,000) pounds; or
 - (C) seven thousand (7,000) pounds;

registered with the bureau or who makes an application for an original registration or renewal registration of a vehicle may apply to the bureau for a personalized license plate to be affixed to the vehicle for which registration is sought instead of the regular license plate.

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- (b) A person who:
- (1) is the registered owner or lessee of a vehicle described in subsection (a); and
 - (2) is eligible to receive a license plate for the vehicle under:
 - (A) IC 9-18-17 (prisoner of war license plates);
 - (B) IC 9-18-18 (disabled veteran license plates);
 - (C) IC 9-18-19 (purple heart license plates);
 - (D) IC 9-18-20 (Indiana National Guard license plates);
 - (E) IC 9-18-21 (Indiana Guard Reserve license plates);
 - (F) IC 9-18-22 (license plates for persons with disabilities);
 - (G) IC 9-18-23 (amateur radio operator license plates);
 - (H) IC 9-18-24 (civic event license plates);
 - (I) IC 9-18-25 (special group recognition license plates);
 - (J) IC 9-18-29 (environmental license plates);
 - (K) IC 9-18-30 (kids first trust license plates);
 - (L) IC 9-18-31 (education license plates);
 - (M) IC 9-18-32.2 (drug free Indiana trust license plates);
 - (N) IC 9-18-33 (Indiana FFA trust license plates);
 - (O) IC 9-18-34 (Indiana firefighter license plates);
 - (P) IC 9-18-35 (Indiana food bank trust license plates);
 - (Q) IC 9-18-36 (Indiana girl scouts trust license plates);
 - (R) IC 9-18-37 (Indiana boy scouts trust license plates);
 - (S) IC 9-18-38 (Indiana retired armed forces member license plates);
 - (T) IC 9-18-39 (Indiana antique car museum trust license plates);
 - (U) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
 - (V) IC 9-18-41 (Indiana arts trust license plates);
 - (W) IC 9-18-42 (Indiana health trust license plates);
 - (X) IC 9-18-43 (Indiana mental health trust license plates);
 - (Y) IC 9-18-44 (Indiana Native American Trust license plates);
 - (Z) IC 9-18-45.8 (Pearl Harbor survivor license plates);
 - (AA) IC 9-18-46.2 (Indiana state educational institution trust license plates);
 - (BB) IC 9-18-47 (Lewis and Clark bicentennial license plates);
 - (CC) IC 9-18-48 (Riley Children's Foundation license plates);
 - or
 - (DD) IC 9-18-49 (National Football League franchised professional football team license plates);
 - (EE) IC 9-18-50 (Hoosier veteran license plates); or**
 - (FF) IC 9-18-51 (support our troops license plates);**

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may apply to the bureau for a personalized license plate to be affixed to the vehicle for which registration is sought instead of the regular special recognition license plate.

SECTION 3. IC 9-18-25-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. This chapter does not apply to the following:

- (1) Antique motor vehicle license plates (IC 9-18-12).
- (2) Recovery vehicle license plates (IC 9-18-13).
- (3) Personalized license plates (IC 9-18-15).
- (4) Prisoner of war license plates (IC 9-18-17).
- (5) Disabled veteran license plates (IC 9-18-18).
- (6) Purple Heart license plates (IC 9-18-19).
- (7) Indiana National Guard license plates (IC 9-18-20).
- (8) Person with a disability license plates (IC 9-18-22).
- (9) Amateur radio operator license plates (IC 9-18-23).
- (10) Pearl Harbor survivor license plates (IC 9-18-45.8).
- (11) Hoosier veteran license plates (IC 9-18-50).**
- (12) Support our troops license plates (IC 9-18-51).**

SECTION 4. IC 9-18-50 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]:

Chapter 50. Hoosier Veteran License Plates

Sec. 1. As used in this chapter, "veteran" means an individual:

- (1) who:**
 - (A) has served in:**
 - (i) the United States armed forces or their reserves;**
 - (ii) the Indiana Army National Guard; or**
 - (iii) the Indiana Air National Guard; and**
 - (B) received an honorable discharge from service; or**
- (2) who is serving in the United States armed forces or their reserves.**

Sec. 2. The bureau shall design a Hoosier veteran license plate to be issued beginning January 1, 2007.

Sec. 3. A Hoosier veteran license plate must include the following:

- (1) A basic design for the plate with consecutive numbers or letters, or both, to properly identify the vehicle.**
- (2) A background design or colors that designate the license plate as a Hoosier veteran license plate.**
- (3) An area on the plate for display of an emblem denoting the branch of service or conflict in which the veteran served.**
- (4) Any other information the bureau considers necessary.**

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Sec. 4. The bureau shall confer with members of armed forces retiree organizations concerning the design of the Hoosier veteran license plate and the emblems denoting the branch of service or conflict in which the veteran served.

Sec. 5. A Hoosier veteran license plate issued under this chapter may be displayed on the following:

- (1) A passenger motor vehicle.
- (2) A truck registered as a truck with a declared gross weight of not more than eleven thousand (11,000) pounds.
- (3) A recreational vehicle.

Sec. 6. A veteran who is a resident of Indiana and is eligible to register a motor vehicle under this title may apply for and receive a Hoosier veteran license plate for one (1) or more motor vehicles upon doing the following:

- (1) Completing an application for a Hoosier veteran license plate.
- (2) Presenting:
 - (A) a United States Uniformed Services Retiree Identification Card;
 - (B) a DD 214 record;
 - (C) United States military discharge papers; or
 - (D) a current armed forces identification card;
 to the bureau.
- (3) Paying the fee under section 7 of this chapter.

Sec. 7. The fee for a Hoosier veteran license plate is the appropriate fee under IC 9-29-5-38.5(a).

SECTION 5. IC 9-18-51 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]:

Chapter 51. Support Our Troops License Plate

Sec. 1. The bureau of motor vehicles shall design and issue a support our troops license plate, beginning January 1, 2007.

Sec. 2. A support our troops license plate must include the following:

- (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.
- (2) A background design, an emblem, or colors that designate the license plate as a support our troops license plate.
- (3) Any other information the bureau considers necessary.

Sec. 3. A support our troops license plate issued under this chapter may be displayed on the following:

- (1) A passenger motor vehicle.

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(2) A truck registered as a truck with a declared gross weight of not more than eleven thousand (11,000) pounds.

(3) A recreational vehicle.

Sec. 4. A person who is eligible to register a vehicle under this title is eligible to receive a support our troops license plate under this chapter after December 31, 2006, upon doing the following:

(1) Completing an application for a support our troops license plate.

(2) Paying the fee described under section 5 of this chapter.

Sec. 5. The fee for a support our troops license plate is the appropriate fee under IC 9-29-5-38.5(b).

SECTION 6. IC 9-29-5-38.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 38.5.** (a) A vehicle registered under IC 9-18-50 is subject to:

(1) an annual registration fee;

(2) an annual supplemental fee of fifteen dollars (\$15); and

(3) any other fee or tax required of a person registering a vehicle under this title.

(b) A vehicle registered under IC 9-18-51 is subject to:

(1) an annual registration fee;

(2) an annual supplemental fee of twenty dollars (\$20); and

(3) any other fee or tax required of a person registering a vehicle under this title.

(c) The bureau shall distribute the annual supplemental fees described in subsections (a)(2) and (b)(2) that are collected from each registration to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8.

SECTION 7. IC 10-17-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 6.** (a) The director of veterans' affairs:

(1) is the executive and administrative head of the department of veterans' affairs; and

(2) shall direct and supervise the administrative and technical activities of the department;

subject to the general supervision of the commission.

(b) The duties of the director include the following:

(1) To attend all meetings of the commission and to act as secretary and keep minutes of the commission's proceedings.

(2) To appoint, by and with the consent of the commission, under this chapter and notwithstanding IC 4-15-2, the employees of the department necessary to carry out this chapter and to fix the

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compensation of the employees. Employees of the department must be:

- (A) honorably discharged veterans who have had at least six (6) months service in the armed forces of the United States and who are citizens of the United States and Indiana; or
- (B) spouses, surviving spouses, parents, or children of an individual described in clause (A).

An employee must qualify for the job concerned.

(3) To carry out the program for veterans' affairs as directed by the governor and the commission.

(4) To carry on field direction, inspection, and coordination of county and city service officers as provided in this chapter.

(5) To prepare and conduct service officer training schools with the voluntary aid and assistance of the service staffs of the major veterans' organizations.

(6) To maintain an information bulletin service to county and city service officers for the necessary dissemination of material pertaining to all phases of veterans' rehabilitation and service work.

(7) To perform the duties described in IC 10-17-11 for the Indiana state veterans' cemetery.

(8) To perform the duties described in IC 10-17-12 for the military family relief fund.

SECTION 8. IC 10-17-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]:

Chapter 12. Military Family Relief Fund

Sec. 0.5. This chapter applies after December 31, 2006.

Sec. 1. As used in this chapter, "active duty" means full-time service in:

- (1) a reserve component of the armed forces; or
- (2) the national guard;

for a period that exceeds thirty (30) consecutive days in a calendar year.

Sec. 2. As used in this chapter, "armed forces" includes the reserve components of the following:

- (1) The United States Army.
- (2) The United States Navy.
- (3) The United States Marine Corps.
- (4) The United States Air Force.
- (5) The United States Coast Guard.

Sec. 3. As used in this chapter, "commission" refers to the

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veterans' affairs commission established by IC 10-17-1-3.

Sec. 4. As used in this chapter, "department" refers to the Indiana department of veterans' affairs established by IC 10-17-1-2.

Sec. 5. As used in this chapter, "director" refers to the director of veterans' affairs.

Sec. 6. As used in this chapter, "fund" refers to the military family relief fund established by section 8 of this chapter.

Sec. 7. As used in this chapter, "national guard" means:

- (1) the Indiana Army National Guard; or
- (2) the Indiana Air National Guard.

Sec. 8. (a) The military family relief fund is established beginning January 1, 2007, to provide assistance with food, housing, utilities, medical services, basic transportation, and other essential family support expenses that have become difficult to afford for families of Indiana residents who are:

- (1) members of:
 - (A) a reserve component of the armed forces; or
 - (B) the national guard; and
- (2) called to active duty after September 11, 2001.

(b) The department shall expend the money in the fund exclusively to provide grants for assistance as described in subsection (a).

(c) The director shall administer the fund.

Sec. 9. (a) The fund consists of the following:

- (1) Appropriations made by the general assembly.
- (2) Donations to the fund.
- (3) Interest as provided in subsection (b).
- (4) Money transferred to the fund from other funds.
- (5) Annual supplemental fees collected under IC 9-29-5-38.5.
- (6) Money from any other source authorized or appropriated for the fund.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund or to any other fund.

(d) There is annually appropriated to the department for the purposes of this chapter all money in the fund not otherwise appropriated to the department for the purposes of this chapter.

Sec. 10. The commission may adopt rules under IC 4-22-2 for

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the provision of grants under this chapter. The rules adopted under this section must address the following:

- (1) Uniform need determination procedures.
- (2) Eligibility criteria.
- (3) Application procedures.
- (4) Selection procedures.
- (5) Coordination with other assistance programs.
- (6) Other areas in which the department determines that rules are necessary to ensure the uniform administration of the grant program under this chapter.

Sec. 11. The director or a member of the commission may make a request to the general assembly for an appropriation to the fund.

Sec. 12. The director shall establish the capability to receive donations to the fund from the public on the department's Internet site.

SECTION 9. [EFFECTIVE JULY 1, 2006] (a) Notwithstanding IC 10-17-12-10, as added by this act, the director of veterans' affairs shall carry out the duties imposed on:

- (1) the director of veterans' affairs; or
- (2) the Indiana department of veterans' affairs;

under IC 10-17-12, as added by this act, under interim written guidelines approved by the veterans' affairs commission.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 10-17-12-10, as added by this act.
- (2) June 30, 2007.

SECTION 10. [EFFECTIVE UPON PASSAGE] The director of veterans' affairs, after consultation with the veterans' affairs commission, shall report to the budget committee before August 1, 2006, on the topics described in IC 10-17-12-10, as added by this act.

SECTION 11. [EFFECTIVE UPON PASSAGE] (a) The provision of P.L.246-2005, SECTION 9, that limits the Indiana department of veterans' affairs from considering new applications from dependents of veterans with disabilities not greater than zero (0) percentage does not apply to applications affecting academic years beginning after June 30, 2006.

(b) Beginning July 1, 2006, the appropriation for state student assistance commission statutory fee remission made by P.L.246-2005, SECTION 9, may be allotted and used for statutory fee remission related to dependents of veterans with disabilities not greater than zero (0) percentage.

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SECTION 12. [EFFECTIVE JULY 1, 2006] (a) Effective January 1, 2007, the bureau of motor vehicles shall terminate the issuance of the Hoosier veteran license plate issued as a special group recognition license plate under IC 9-18-25.

(b) Notwithstanding IC 9-18-50-6(2), as added by this act, a person who was issued a Hoosier veteran license plate issued as a special group recognition license plate under IC 9-18-25 in 2006 is not required to present:

(1) a United States Uniformed Services Retiree Identification Card;

(2) a DD 214 record; or

(3) United States military discharge papers;

to the bureau upon applying for a Hoosier veteran license plate under IC 9-18-50-6, as added by this act.

(c) This SECTION expires December 31, 2007.

SECTION 13. An emergency is declared for this act

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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